

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Mohamed John Akhtar and
La Buca Restaurant, Inc. d/b/a
Swing 46 Jazz and Supper Club,

Plaintiffs,

**NOTICE OF MOTION TO
DISMISS**

-against-

Eric Adams, Mayor of the City of
New York, Rohit T. Aggarwala, New
York City Department of
Environmental Protection, Eric I.
Eisenberg, and John and Jane
Does One through Thirty,

23 CV 6585 (JGLC)

Defendants.

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PLEASE TAKE NOTICE that upon the accompanying memorandum of law, defendants Eric Adams, as Mayor of the City of New York, Rohit T. Aggarwala, and the New York City Department of Environmental Protection (collectively “City Defendants”), will move this Court before the Honorable Jessica G. L. Clarke, at the United States Courthouse located at 500 Pearl Street, New York, New York, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Complaint and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
 January 26, 2024

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By: Kerri A. Devine /s/ Genan Zilkha/s/

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Genan Zilkha
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